

#### REMARKS

Claim 13 and 24-26, as amended, remain herein. Independent claim 24 and claims 25 and 26 depending from claim 24 have been added. Claims 24-26 are directed to specific motors held in the claimed embosses.

Attached hereto is a marked-up version of the changes made to claim 13 by the current amendment. The attached page is captioned "Version with Markings to Show Changes Made".

1. In response to a November 30, 2001 telephonic restriction requirement, a Confirmation of Telephone Election was filed in the USPTO on December 4, 2001. Applicants hereby affirm the election to prosecute the invention of Group I, claim 13, without prejudice to applicants' right to file a divisional application directed to the non-elected invention of Group II (i.e., claims 16 and 17).

Applicants respectfully traverse the Restriction Requirement because the subject matter of all of claim 13 (Group I) and claims 16 and 17 (Group II) is sufficiently related that a thorough and complete search for the subject matter of the elected claims would necessarily encompass a thorough and complete search for the subject matter of the non-elected claims. Search and examination of the entire application could be made without serious burden. See

MPEP §803 in which it is stated that "[i]f the search and examination of an entire application can be made without serious burden, the Examiner must examine it on the merits." This policy should apply in the present application to avoid unnecessary delay and expense to applicant and unnecessary duplicative examination by the USPTO.

Reconsideration of the Restriction Requirement and an examination of claims 13, 24-26, 16 and 17 is earnestly solicited.

2. Claim 13 was rejected under 35 U.S.C. §112, second paragraph. Claim 13 has been amended to moot this rejection.

Reconsideration and withdrawal of this rejection are respectfully requested.

Claim 13 is rejected under §103(a) over Bianca et al. U.S. Patent 5,706,952 and Viskochil U.S. Patent 5,672,927. The presently claimed invention is a tape-like package having a plurality of embosses arranged in series, each of the embosses accommodating a complete brushless motor. This arrangement is nowhere disclosed or suggested in any of the cited references.

Bianca '952 discloses a tape-like package including embosses for holding electrical components, such as integrated circuit chips and the like, for automatic placement on a printed circuit board.

But Bianca '952 does not disclose a packaging arrangement including a complete brushless motor that is ready to be surface mounted to a printed circuit board.

Viskochil '927, FIGS. 6 and 7, discloses a brushless motor 40 configured to be placed on a printed circuit board. However, Viskochil '927 does not overcome the shortcomings of Bianca '952 stated above herein, because Viskochil '927 does not discuss the desirability or benefits of supplying brushless motors stored in tape-like packaging for direct placement on printed circuit boards. Instead, Viskochil '927, FIGS. 6 and 7, merely discloses a method for mounting an arrangement of component parts of a motor on a base plate 50. In contrast, the presently claimed invention is directed to a packaging mode that facilitates automatic mounting of a complete brushless motor stored in an emboss of tape-like packaging directly onto a device by surface mount technology.

Moreover, there is no disclosure or teaching in either Bianca '952 or Viskochil '927 which discloses or teaches anything that would have suggested applicants' presently claimed invention to one of ordinary skill in the art. Further, there is no disclosure or teaching in either Bianca '952 or Viskochil '927 which that suggest the desirability of combining any portions thereof effectively to

anticipate or suggest applicants' presently claimed invention. Accordingly, reconsideration and withdrawal of the rejection under 103(a) are respectfully requested.

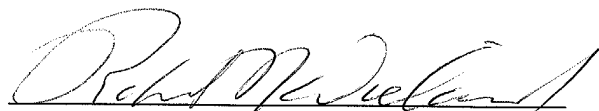
All claims 13 and 24-26 are now proper in form and patentably distinguished over all grounds of rejection cited in the Office Action. Accordingly, allowance of all claims 13 and 24-26 is respectfully requested.

Should the Examiner deem that any further action by the applicants would be desirable to place this application in even better condition for issue, he is requested to telephone applicants' undersigned representatives.

If the only barrier to allowance is the presence of non-elected claims 16 and 17, the Examiner is authorized to cancel those claims, without prejudice to applicants' rights to claim such subject matter in one or more divisional applications.

Respectfully submitted,

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CAW:RNW/jmz

Attachment: Version with Markings to  
Show Changes Made

Attorney Docket No.: YMOR:145B

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